

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, August 1, 2007 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

RECEIVED
OFFICE OF
MUNICIPAL CLERK
2007 AUG 29 PM 3:18

Present: Councilmember Kwanza Hall
Councilmember Jim Maddox
Councilmember Clair Muller
Councilmember Clela Winslow

Janice D. Davis, CFO
Departmental Staff

Absent: Councilmember Howard Shook
Councilmember Felicia A. Moore

Vice Chairperson Hall called the meeting to order at 1:15 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Jim Maddox, Clair Muller and Clela Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed with the addition of a new First Read Ordinance. Minutes of the July 11, 2007 Regular Finance/Executive Committee were adopted as well.

CONSENT AGENDA

TO AMEND THE 2007 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGETS

07-O-1480 (1) An Ordinance by Finance/Executive Committee Amending the 2007 General Government Capital Outlay Fund Budgets in the Departments of Public Works, Police, Fire Rescue, Parks, Recreation & Cultural Affairs, and Planning and Community Development by Transferring between accounts the sum of \$419,000.00 for the purpose of funding the purchase of Transportation Modeling Software and existing personnel necessary to conduct the City-Wide Comprehensive Transportation Study; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE PROVISIONS

07-O-1506 (2) An Ordinance by Finance/Executive Committee Authorizing the City of Atlanta to waive the Provisions contained in Chapter 2, Article X, Division 14, Subdivision II, Section 2-1547 of the City of Atlanta Code of Ordinances to authorize the Chief Procurement Officer to lease approximately 3,000 square feet of office space at City Hall East to Morseberger Group, on a month-to-month basis for a period not to exceed September 30, 2008, in an amount equal to fair market rental value as determined by an appraisal; to authorize the Mayor to enter into a Lease Agreement with Morsberger Group for the lease of approximately 3,000 square feet of office space at City Hall East; all lease payments shall be deposited to Fund, Account and Center Number 1A01 (General Fund) 462201 (Bldg. Rentals) D45A01069999 (City Hall East); and for other purposes.

FAVORABLE ON FIRST READ

TO CORRECT ORDINANCE 07-O-0618

07-O-1507 (3) An Ordinance by Finance/Executive Committee to correct Ordinance 07-O-0618 by correcting Anticipations and

Appropriations Account Numbers and Grant Project Account for the South Moreland Avenue Livable Centers Initiative Study funded by the Atlanta Regional Commission; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED

- 07-O-1367 (1) An Ordinance by Finance/Executive Committee Authorizing the Mayor to execute a Quitclaim Deed conveying the City of Atlanta's interest in a Tax Deed on property located at the rear of 186 Rogers Street, Tax ID # 15-211C-04-024 in Land Lot 211 of the 15th District of DeKalb County, Georgia, for the consideration of one dollar (\$1.00), to the Warehouse Partnership, L.P., as they have paid said property's Ad Valorem Taxes over the years and have obtained title to all property interests except the City of Atlanta's in a registration for Land Action in DeKalb County, Georgia Superior Court; and for other purposes.

FAVORABLE

Mr. Bill Castings: of the Department of Public Works addressed the Committee by stating that they have been paying taxes since 1987. They hope to develop this and put it back on tax rolls. They paid about \$5000 in back taxes. Councilmember Maddox asked who owns the property. Mr. Castings responded that the City kept sending out tax bills to the joint property owners. The property is in DeKalb County, City of Atlanta. It did not come out until there was a Tax Deed done. They will take ownership if the City reimburses them. Councilmember Maddox asked how does DeKalb County collect their taxes. Mr. Castings responded that the owner has been paying both. Councilmember Maddox asked if it is a fair exchange. Mr. Castings responded that this will give ownership completely. In the future they could develop it. Councilmember Maddox offered a motion to **Approve, 4 Yeas**. Mr. Castings added that it not that unusual. Sometimes they are not careful and it happens more than you think.

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE FOUR PARCELS OF PROPERTY

- 07-O-1368 (2) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and purchase four parcels of property, located at Walnut Street and Grave Street, from the Concerned Black Clergy ("The Vine City CBC Property"), in an amount not to exceed three hundred thousand dollars (\$300,000.00), for the purpose of expanding the existing Vine City Park. The City's purchase price, due diligence, purchase services and development costs shall be Paid From Fund, Account, and Center Number 1B09-573002-T31Z07029999, Westside Tad Fund/Construction in Progress/Westside Tad 2005, which account has been funded from the Westside Tad Neighborhood Fund Allocation approved by the Atlanta Development Authority ("ADA"); approving conforming changes to the Intergovernmental Agreement by and between the City and ADA relating to the Vine City Park of which the Vine City CBC Property will form a part; and for other purposes.

FAVORABLE ON SUBSTITUTE

Vice Chairperson Hall stated that we have a Substitute.

Ms. Diane Harnell-Cohen: Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that Westside TAD allocated money for that park. Councilmember Winslow asked if this is the property that flooded. Commissioner Harnell-Cohen responded that it is another piece. The Substitute includes all of the attachments. Vice Chairperson Hall asked about the map and the appraisal value. Commissioner Harnell-Cohen responded that everything is included for the \$300,000. Councilmember Winslow offered a motion to **Approve on Substitute, 4 Yeas**. Councilmember Maddox asked who did the appraisal. Commissioner Harnell-Cohen responded that it is our appraisal that was done by ADA.

TO CLARIFY CERTAIN SECTIONS OF THE PERSONNEL CODE

07-O-1382 (3) An Ordinance by Councilmember Cleta Winslow to clarify certain Sections of the Personnel Code pertaining to increase in compensation, compensation on demotion, and minimum qualification to for Public Safety Promotional Testing; and for other purposes.

FAVORABLE

Ms. Sherry Dickerson: of the Department of Human Resources addressed the Commissioner by stating that this paper clarifies the language that was revised in the new Personnel Code. We made adjustments for promotions for Officers that serve three years. Councilmember Winslow stated that we changed language for Sergeants to work from 5 to 3 years to receive promotions. Ms. Dickerson responded that is correct and it has been discussed with the Unions. Councilmember Winslow offered a motion to **Approve, 4 Yeas**.

TO AMEND THE 2008 (GENERAL FUND) BUDGET

07-O-1383 (4) A **Substitute** Ordinance by Finance/Executive Committee Amending the 2008 (General Fund) Budget, Department of Finance, by Adding To Anticipations and Appropriations in an amount not to exceed eighty eight thousand dollars and no cents (\$88,000.00) for costs related to environmental reviews performed on behalf of the Housing Authority of the City of Atlanta; and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number, 8/1/07)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Hall stated that we have a Substitute that changes the Fund, Account and Center number. CFO Davis stated that this allows the Department of Finance to do environmental reviews for the Atlanta Housing Authority (AHA). AHA will pay all costs. Councilmember Winslow asked do we have to do it this way. CFO Davis responded that they asked us to assume the responsibility and it is their projects. The \$88,000 covers everything and it comes to the City. Councilmember Winslow offered a motion to **Approve on Substitute, 4 Yeas**.

TO AUTHORIZE THE MAYOR TO ACCEPT \$12,000.00 FROM THE ATLANTA CITY EMPLOYEES CREDIT UNION

07-O-1464 (5) An **Amended** Ordinance by Finance/Executive Committee Authorizing the Mayor to accept \$12,000.00 from the Atlanta City Employees Credit Union to cover recruitment expenses incurred in soliciting candidates to fill the ACECU President/Chief Executive Officer vacancy and for Training and Conference expenses for Department of Human Resources Employees; and

for other purposes. **(Finance/Executive Committee Amendment Amends Section 2 to delete 1A01 729001 V22001 (General Fund, Business Meeting Expense, Human Resource Management and replaces it with 1A01 729041 V22001 (General Fund, Business Meeting Expense, Human Resource Management, 8/1/07)**

FAVORABLE AS AMENDED

Vice Chairperson Hall stated that we have an Amendment that corrects the Fund, Account and Center numbers. It is to outsource services for a President and Chief Executive Officer. The Credit Union will pay the Department for the search. Councilmember Maddox stated that the previous Chairman of the Board passed away. Ms. Dickerson responded that they have not selected a person yet, but the acting person is in the running. We have to do the advertising. Councilmember Maddox asked if it is your decision to do this. Ms. Dickerson responded that the Credit Union asked for our assistance. Councilmember Maddox stated that we need to consider the person who is already acting in the position. Vice Chairperson Hall offered a motion to **Approve as Amended, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED

07-O-1527 (6) An Ordinance by Councilmembers Ceasar C. Mitchell and Felicia A. Moore Authorizing the Mayor to execute a Quitclaim Deed conveying the City of Atlanta's interest in property located at 850 Hollywood Road, Atlanta, Fulton County, Georgia ("Property"), in an amount not to exceed one dollar (\$1.00), to the City of Atlanta-Fulton County Land Bank Authority, for the public purpose of returning said property to an effective utilization status in order to provide housing for the citizens of the City of Atlanta and Fulton County; and for other purposes.

FAVORABLE

Ms. Willene James: Real Estate Manager of the Department of Procurement addressed the Committee by stating that this is to allow the City to convey its interest by tax lien by the defaulting property owner. The County has already conveyed their interest in the property. It is to develop a single family property. It is 90.205 (approx. half an acre). It has an affordable component to it. Vice Chairperson Hall asked for more information regarding the affordable piece. He then stated that he would abstain. Councilmember Maddox offered a motion to **Approve, 3 Yeas, 1 Abstention.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO APPROVE THE EXPANSION OF THE PREVIOUSLY APPROVED EASTSIDE TAX ALLOCATION DISTRICT MEMORIAL DRIVE GREENWAY CORRIDOR PROJECT AREA

07-O-1528 (7) An Ordinance by Councilmembers Natalyn Archibong, Kwanza Hall and Carla Smith **as Substituted by Finance/Executive Committee (1), 8/1/07** Authorizing the Mayor or her Designee, on behalf of the City of Atlanta, to approve the expansion of the previously approved Eastside Tax Allocation District Memorial Drive Greenway Corridor Project Area, pursuant to Ordinance 05-O-2259 enacted by the City Council of the City on November 21, 2005 and signed by the Mayor on November 22, 2005, in order to include Block 7, which is bounded by Oakland Avenue, Biggers Avenue, MLK, Jr. Drive, and George Street; to approve conforming changes to the Intergovernmental Agreement relating thereto; to Authorize additional funding for the Project to acquire Block 7, in the amount of four hundred fifty thousand dollars (\$450,000.00),

from Citywide Greenway Trails Project Quality of Life Bond Fund, Account, and Center Number: 1C50 (2004 Quality of Life Bond Fund) 571001 (Land) Y63F063592BH (Greenway Trail Projects); in an amount not to exceed four hundred fifty thousand dollars (\$450,000.00) from Fund, Account, and Center Number 1C28 (General Government Capital Outlay Fund) 571001 (Land) N12P06129988 (Greenspace Program, Park South); to accept a donation from the Oakland Historical Foundation to fund the Project to acquire Block 7, in an amount not to exceed nine hundred thousand dollars (\$900,000.00), for total additional funding in an amount not to exceed one million eight hundred thousand dollars (\$1,800,000.00); and Amending the 2007 General Government Capital Outlay Fund Budget Department of Parks and Recreation by transferring between Accounts the sum of \$450,000 and for other purposes. **(Finance/Executive Committee Substitute..., 8/1/07)**

FAVORABLE ON SUBSTITUTE

Commissioner Harnell-Cohen stated that there were many moving pieces to this Legislation when the Eastside TAD was created. We now can acquire additional parks. This assemblage would add open cemeteries. It would complete a new entrance. It would assemble one end of Memorial to another. It authorizes negotiation for the parcel. One source of funding is from the Park Impact of \$45,000, Quality of Life funds of \$450,000 and \$90,000 in donations. Councilmember Muller asked what is the downsize? Commissioner Harnell-Cohen responded that there is no downsize.

Mr. Carey Duncan: addressed the Committee by stating that he is opposed to this legislation. Who will you disturb in a cemetery? He does not know the value of the paper. This property should not be taken off the tax roll, it should be competitively bidded out and developed on. He grew up around there. The property can be used as a park.

Mr. Jim Synder: addressed the Committee by stating that he has concerns with this Legislation. We are saying that this property is worth \$50 per square footage of land. Are we paying too much for it?

Ms. Linda Grace: of the Historical Oakland Foundation addressed the Committee by stating that we have a tremendous problem with parking, etc. in the cemetery. This is the last piece of property in the cemetery. The Foundation receives Grants for restoration in the cemetery. There are people that come from all over the world to visit the cemetery. It is rich in history. Commissioner Harnell-Cohen added that Oakland Cemetery is a park and park expansion is something that we spend a lot of time on. Councilmember Winslow stated that she supports this paper. She has visited the cemetery on various occasions. It has a lot of history. Councilmember Maddox asked if the park is adjacent to the cemetery. Commissioner Harnell-Cohen responded that it faces the cemetery. Councilmember Muller asked why would we extend the TAD.

Ms. Ellen Wickersham: of Atlanta Development Authority (ADA) addressed the Committee by stating that it is an extension and it makes sense to have it under one umbrella. Councilmember Muller stated that the purpose of a TAD is to have increased taxes. Ms. Wickersham responded that the TAD is a broad area and we are trying to improve the quality of life for that area. CFO Davis added that they are not extending the TAD, but the scope of the project. Commissioner Harnell-Cohen stated that it is to improve the previously approved Eastside TAD District Allocation. Vice Chairperson Hall stated that these areas will be high density. He is supportive of this paper. Mr. Duncan stated that dead people do not pay taxes. It infuriates him because this is his neighborhood. We don't have a restroom anymore because the City cannot control the crime going on there. Large cemeteries do serve as parks. You have to look at what you are giving up. The developers in this City who could bid competitively, would do so. We

do not have a Welcome Center. Councilmember Maddox asked will the community have some input into the development. Commissioner Harnell-Cohen responded that it has to go through the City's process. It is not just a small neighborhood cemetery. It will have to go before the NPUs. Councilmember Muller offered a motion to **Approve on Substitute, 4 Yeas.**

TO UTILIZE THE STATE OF GEORGIA CONTRACT WSCAII (A63309-GA) WITH HEWLETT PACKARD

07-R-1481 (1) A Resolution by Finance/Executive Committee Authorizing the Chief Procurement Officer to utilize the State of Georgia Contract WSCAII (A63309-GA) with Hewlett Packard for the purchase of HP Design Jet 4500 Multi-Function Project (MFP) and the three year site hardware support on behalf of the Department of Watershed Management in an amount not to exceed twenty-nine thousand, five hundred thirty-nine dollars and no cents (\$29,539.00); all contracted work shall be Charged To and Paid From Fund Account and Center Number 2J21 (Water and Wastewater Renewal & Extension Fund), 575001 (Equipment), Q65001 (Distribution); and for other purposes.

FAVORABLE

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this is for a three service agreement and a State contract. This is replacement equipment. Commissioner Maddox offered a motion to **Approve, 4 Yeas.**

TO EXTEND THE SERVICE DELIVERY STRATEGY (SDS) BETWEEN THE CITY OF ATLANTA AND DEKALB COUNTY

07-R-1482 (2) A Resolution by Finance/Executive Committee to extend the Service Delivery Strategy (SDS) between the City of Atlanta and DeKalb County for a period of one year ending on October 31, 2008; and for other purposes.

FAVORABLE

Ms. Jessica Lavender: the Department of Planning and Committee Development addressed the Committee by stating that our Service Delivery Agreement with DeKalb County will expire at the end of this month. They have not reached an agreement so we want to extend this for one year in order to reach a new agreement. Councilmember Winslow asked what services do we have with them. Ms. Lavender responded that we have agreements for animal control, sheriffs, etc. Councilmember Maddox asked if this Agreement includes tax collections. CFO Davis responded that we have other contracts that cover taxes. Councilmember Maddox asked what is the cost. Ms. Lavender responded that there is no additional cost. CFO added that there is a cost to the tax collection, not this agreement. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO ENTER INTO A CONTRACT AGREEMENT WITH H & H DEMOLITION & HAULING, INC.

07-R-1483 (3) A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Planning and Community Development, to enter into a Contract Agreement with H & H Demolition & Hauling, Inc., for FC-6006007938A; Leon Benton Construction, for FC-6006007938B; Mack Hauling, Inc., for FC-6006007938C; and Kissberg Construction, Inc., FC-

6006007938D, in order to provide Citywide Demolition Services, in an amount not to exceed two hundred eleven thousand five hundred ninety two dollars and fourteen cents (\$2,11,592.14) total. All contracted work to be Charged To and Paid From Fund, Account, and Center Numbers: 1A01 (General Fund) 524001 (Consultant/Professional Services) Y45001 (Director of Code Compliance) \$13,323.95; 1B01 (Community Development Fund) 529002 (Service Grants) Y43P0931A24A (Housing Demolition/Reclamation, CD-610) \$1,745.00; 1B01 (Community Development Fund) 529002 (Service Grants) Y43P0931A26A (Housing Demolition/Reclamation, CD-610) \$109,144.00; 1B01 (Community Development Fund) 529002 (Service Grants) Y43P0931A25A (Housing Demolition/ Reclamation, CD-610) \$84,256.00; and for other purposes. **(Finance/Executive Committee Substitute adds the Fund, Account and Center Number and corrects the amount, 8/1/07)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Hall stated that we have a Substitute.

Mr. Tim Hardy: Director of the Bureau of Codes Compliance addressed the Committee by stating that this is for a Demolition contract. Vice Chairperson Hall stated that he has two lots to look at. This will give us multiple contracts to bid on. The original contract ended last November. Councilmember Winslow asked how many companies. Mr. Hardy responded four companies. Councilmember Winslow stated that there is a burned out small convenient store on Glenn Street that has been burned twice. Mr. Hardy responded that once we get the appropriate title searches, we could move on it. Councilmember Maddox asked what is the total of this contract. Mr. Hardy responded \$211,000. There are line items for each part of the demolition. A wood structure is cheaper than a brick structure. Councilmember Maddox asked who monitors it. Mr. Hardy responded that we have an In Rem Coordinator that looks at it. It is also determined by the price submitted for each line item. They give us a price for each phase of the project. Structures are just one part of it. Vice Chairperson Hall asked if the charges are charged to the homeowner. Mr. Hardy responded that a lien is placed on the property. Vice Chairperson Hall asked if this is enough. Mr. Hardy responded that this is minimum. Councilmember Muller asked if it is for new construction. Mr. Hardy responded that it is under the Bureau of Buildings. Councilmember Winslow asked if the illegal activity related to the zoning part of your Office. Mr. Hardy responded yes. Councilmember Winslow stated that if a person is operating an illegal Day Care, is it reported to your Office. Has staff been schooled on this? Councilmember Maddox asked how do we collect the funds once a property goes through the In Rem process? Do the taxes on that property go down? Mr. Hardy responded that we oversee the demolition and a lien is placed on the property. There is no collaboration between the City and the Tax Assessor. Councilmember Maddox stated that we need to have a developer put a livable structure on the land. Mr. Hardy responded that is one of the things we are trying to do to move forward. We have been in discussion with Fulton County/Atlanta Landbank Authority regarding that.

Mr. James Shelby: Deputy Commissioner of the Department of Planning and Community Development addressed the Committee by stating that we are not involved after a lien is put on the property. We are working with Georgia State regarding vacant properties. We are concerned with tearing down properties and leaving it vacant. We have to go out and mow the lawn. We need to find a way to go after an absentee property owner. We are looking at how other Cities are doing this. We are working through the details right now. Mr. Hardy added that we do family and commercial structures. Commissioner Maddox asked that it be an added item on the Community Development/Human Resources Committee Agenda. Mr. Hardy responded that the Substitute adds the Fund, Account and Center number. Councilmember Winslow offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH WAYNE EVANS AUCTION COMPANY, INC., FOR FC-6007007930

07-R-1510 (4) A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into an Appropriate Contractual Agreement with Wayne Evans Auction Company, Inc., for FC-6007007930, Auctioneer Services, on behalf of the Department of Procurement; all revenue generated under the contract shall be deposited to Fund Account and Center Numbers 1A01 (General Fund) 491101 (Sale of Equipment) B00001 (Revenue Center); 2H01 (Airport Revenue Fund) 491101 (Sale of Equipment) B00001 (Revenue Center); 3P01 (Agency Fund) 412101 (Taxes, State Sales) X21Y52019999 (Sales Tax Collections – State of Georgia); 3P01 (Agency Fund) 491104 (Buyer's Premium) J73X02419999 (Auction-Fees/Buyer's Premium); and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Numbers, 8/1/07)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Hall stated that we have a Substitute.

Mr. Dave Chapman: Deputy Chief Procurement Officer addressed the Committee by stating that this paper will put the auctioneer contract back in place. This is a revenue generating contract. The Substitute corrects the Fund, Account and Center number. Councilmember Maddox asked what kind of property. Mr. Chapman responded that there is a variety. Anything that is not necessary for municipal purposes. CFO Davis added that it goes to the General Fund, but if it is Enterprise property, it goes into the Enterprise Fund. It is the surplus for everybody and goes to the fund that is selling the property. Mr. Chapman responded that the purchaser pays 10% additional buyer's premium. It is advertised on the Web and the newspaper. We will look at showing it on Cable Channel 26. Councilmember Maddox asked if that 10% comes off the amount. Mr. Chapman responded that it is over and above the price. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

07-R-1512 (5) A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract GS-35F-0195J with CDW Government, Inc., for the purchase of 207 APC Smart-Ups XL 48V RM 3U Battery Packs, on behalf of the Department of Information Technology, in an amount not to exceed three hundred ninety two thousand fifty eight dollars and no cents (\$392,058.00); all contracted work shall be Charged To and Paid From Fund Account and Center Number 2M01 (Internal Services Fund) 521105 (Supplies, Non-Consumable) E11001 (Office of the CIO); and for other purposes. **(Finance/Executive Committee Substitute corrects Fund, Account and Center Numbers, 8/1/07)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Hall stated that we have a Substitute.

Mr. Mark Candler: of the Department of Information Technology addressed the Committee by stating that this Resolution provides a second tier for power back up infrastructure. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

07-R-1513 (6) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract GS-35F-4984H with IBM, for the purchase of hardware and software to provide an IBM Tape Library to increase backup capacity, on behalf of the Department of Information Technology, in an amount not to exceed two hundred eight thousand three hundred thirty four dollars and sixty three cents (\$208,334.63); all contracted work shall be Charged To and Paid From Fund Account and Center Number 2M01 (Internal Services Fund) 575001 (Equipment) E12001 (IT Administration); and for other purposes. **(Finance/Executive Committee Substitute corrects Fund, Account and Center Numbers, 8/1/07)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Hall stated that we have a Substitute.

Mr. Candler stated that this is for a City-wide back up system. This will increase the capacity we already have. Councilmember Maddox asked if we are getting the best rates with the State Contract. Is there any Minority Participation? Mr. Candler responded that there is Minority Participation through the labor and ownership portion of the contract. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT

07-R-1514 (7) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into an Appropriate Contractual Agreement pursuant to Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract NASPO/WSCA A63307 with Dell Government Leasing and Finance, for the lease of 800 Dell Optiplex Computers for three (3) years to refresh current aged computers with the latest, most efficient technology, on behalf of the Department of Information Technology, in an amount not to exceed three hundred fifty five thousand one hundred thirty two dollars and twenty seven cents (\$355,132.27); all contracted work shall be Charged To and Paid From Fund Account and Center Number 2M01 (Internal Services Fund) 578003 (Lease/Pur.-Equipment) E12001 (IT Administration); and for other purposes. **(Finance/Executive Committee Substitute corrects Fund, Account and Center Numbers, 8/1/07)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Hall stated that we have a Substitute.

Mr. Candler stated that this is the final phase of the IT Refresh. We will be up to date excluding Police, Aviation and Watershed Management. Councilmember Maddox asked

what is the value of this? Mr. Candler responded \$355,132.27. Councilmember Maddox asked if there is Minority or Female Participation. Mr. Candler responded through the implementation purchase. This is an addition to an existing lease. We have eight leases with Dell. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Years**. Vice Chairperson Hall asked what is happening currently in the Department of Information Technology. Mr. Candler responded that we are becoming more customer focused and is working with the ERP. Councilmember Maddox stated that we need to be updated. CFO Davis responded that we will ensure that you get updated letters. Councilmember Maddox stated that he likes presentations as well. CFO Davis responded that she would give a presentation when we present the Capital Budget.

TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA

06-O-0787 (1) An Ordinance by Councilmember Caesar C. Mitchell **as Substituted by Finance/Executive Committee** to Amend the Code of the City of Atlanta, Georgia by adding to Section 2-183; Department Heads under supervision and direction of the Mayor; exception responsibilities; and for other purposes. **(Substituted and Held, 3/29/06 at the request of the Author)**

HELD

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.

06-R-1667 (2) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE SANDTOWN COMMUNITY

06-O-1924 (3) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as the Sandtown Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06 until such time that the community sponsor requests that the annexation application be withdrawn, it expires or the annexation process is restarted)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE GLENN

- 06-O-1926 (4) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as Cascade Glenn to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06 until such time that the community sponsor requests that the annexation application be withdrawn, it expires or the annexation process is restarted)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA

- 06-O-2250 (5) An Ordinance by Councilmembers Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land to the Corporate Limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 10/11/06 at the request of the Law Department)**

HELD

TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA

- 07-O-0138 (6) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

HELD

TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

- 07-O-0622 (7) An Ordinance by Councilmembers Anne Fauver and Carla Smith Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances to maximize efficiency in purchasing systems furniture for several City of Atlanta Capital Projects; and for other purposes. **(Held, 3/28/07 pending a Substitute to include other Projects)**

HELD

TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW, ATLANTA, GEORGIA, 303031

- 07-O-0623 (8) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14th District of Fulton County to the corporate limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 3/28/07 to ensure annexation procedures are executed appropriately)**

HELD**TO PROVIDE FOR THE ANNEXATION OF LAND KNOW AS CASCADE FALLS SUBDIVISION**

- 07-O-0624 (9) An Ordinance by Councilmember James Maddox to provide for the annexation of land known as Cascade Falls Subdivision to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 3/28/07 pending review to determine additional properties contiguous to the City are identified and included in the annexation)**

HELD**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY**

- 07-O-0968 (10) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD**TO PROVIDE FOR THE HUNTINGTON COMMUNITY (POMPEY DRIVE/ OLD FAIRBURN ROAD)**

- 07-O-0969 (11) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Huntington Community (Pompey Drive/Old Fairburn Road) to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD**TO AMEND ARTICLE V, CLASSIFICATION PLAN, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

- 07-O-0974 (12) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

HELD**TO AMEND CHAPTER 110, ARTICLE 1, SECTION 110-3 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA**

- 07-O-1007 (13) A **Substitute** Ordinance by Councilmembers Kwanza Hall and Jim Maddox Amending Chapter 110, Article 1, Section 110-3 of the Code of Ordinances of the City of Atlanta, Georgia which sets forth the Fee Schedule for City of Atlanta's Recreation Centers, by adding a new Subsection 110-3 (a) (9), entitled "Neighborhood Service Centers Room Rental Fees", for purpose of creating a

room rental fee schedule for Georgia Hill, John C. Birdine, and Dunbar Neighborhood Service Centers administered by the Department of Parks, Recreation, and Cultural Affairs; to create a refundable room deposit fee; to establish that half of all funds generated by such fees shall be deposited into Fund Account Number: 1A01 (General Fund) 462201 (Building Rental) B00001 (Revenue Center), and that half of the Funds generated by such fees shall be deposited into 3P02 (Trust Fund) 462201 (Deposits Building Rental) N13W02119999 (Georgia Hill Neighborhood Center); 3P02 (Trust fund) 462201 (Deposits Building Rental) N13W02129999 (John C. Birdine Center); and 3P02 (Trust Fund) 462201 (Deposits building Rental) N13W02789999 (Dunbar Neighborhood Center); all revenues generated by the Refundable Room Deposit Fee at each Neighborhood Service Center shall be deposited into 1A01 (General Fund) 462201 (Building Rental) B00001 (Revenue Center) and expended from 1A01 (General Fund) 529010 (Refunds) T31001 (Unallocated Fund-Wide Expenses); and for other purposes. **(Held for NPU Notification Public Hearing, 5/16/07); (Favorable on Substitute, 6/27/07); (Referred back from Full Council for further review by the NPU, 7/2/07)**

HELD

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

07-R-1086 (14) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Chapter 2, Article X, Division 15, Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, utilizing State of Georgia Contract #SWC50755 with Bank of America, N.A., on behalf of the Department of Finance, for the use of Bank of America Visa purchasing cards and associated services; and for other purposes. **(Held, 5/30/07 pending receipt of documentation that the recommendations from the Credit Card Audit are met)**

HELD

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS

07-O-1087 (15) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to allow the City to impose a convenience fee in the amount of four dollars and fifty cents (\$4.50) on credit cards users, on-line payment users, electronic check users, submitting payments for water and Wastewater City Services, to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into Fund, Account and Center Number 2J01 (Water and Wastewater Revenue Fund) 641307 (Credit Card) B00001 (Convenience Fee); and for other purposes. **(Held, 6/13/07 for NPU notification and Public Hearing); (Finance/Executive Committee Conditional passage of getting the word out, such as on Channel 26, the next water bill, NPUs and advertisement, Finance/Executive Committee Substitute extends the services to General, Aviation and Watershed Management, 8/1/07)**

**FORWARD WITH NO RECOMMENDATION ON SUBSTITUTE ON
CONDITION**

Vice Chairperson Hall stated that we have a Substitute.

Ms. Teresa Stewart: Senior City Attorney of Legislative Council addressed the Committee by stating that the Substitute adds more than just the Department of Watershed. It extends the services to other Departments.

Vice Chairperson Hall gave the public an opportunity to speak:

Mr. Synder stated that this is a policy issue. He is not charged a convenience fee for his utility bills. He is not sure what the cost is. Is this something that is feasible?

Mr. Duncan stated that he wonders if there is a tally of votes from the NPUs regarding the original Ordinance. Vice Chairperson Hall responded we have 12 not supporting and 13 with no comment. Mr. Duncan stated there is no comment because sometimes it does not get to the NPUs on time. The best thing to do is to Hold this paper if you care what the NPUs think. Give them a chance to respond. There has to be a good reason for not commenting. He would like the courtesy to review the Substitute.

Continuing, CFO Davis stated that the City has the ability to add the fees for credit card users on line. This is recouping fees that the City is paying. Automatic Clearing House Transaction (ACHT), checks, etc. are still available if people do not want to use their credit card. This is not enriching the City. We are not curtailing their ability to use a check. We spend more time getting the payments through with credit cards. Councilmember Muller asked if all of this necessary. CFO Davis responded yes. It is basically people paying by credit card to take advantage of the reward points. Any of those that are not paying and clearing on the same day creates a problem. There is bundling and floating that ties our payments with the receipts. Councilmember Winslow asked what is the cost? CFO Davis responded that last year it was \$973,000. That number will continue to escalate. This is a third party processing fee. Vice Chairperson Hall asked the Department of Law if this is in the bounds of receiving a Substitute after the Public Hearing. Senior City Attorney Stewart responded that Section 2-105 states what we can do it after notice. Vice Chairperson Hall asked what the Substitute does. CFO Davis responded that it includes the General Fund and the Airport as well as Watershed. Vice Chairperson Hall stated that this may make sense, but it needs to be communicated to the constituents.

Mr. Greg Pridgeon: Mayor's Office Chief of Staff addressed the Committee by stating that this is absolutely necessary so taxpayers won't be burden with this fee. We think that the logical thing is to apply that fee or disallow that service. It is a regressive fee. The high end users are people who can afford it. It should be fairly distributed to the ones who use it. Councilmember Maddox asked how is it being communicated to the taxpayers. CFO Davis responded that we did mailings to the effected people. We viewed it as taking \$1 million dollars to be used for services. We are concerned with continuing to pick up this fee and we are foregoing some kind of services. Councilmember Maddox stated that it is viewed as an option. It makes sense to pass it on to the people who use it.

Mr. Gary Donaldson: Director of the Office of Revenue addressed the Committee by stating that debit cards do not have the fee. Mr. Pridgeon responded that if you wanted to delay the action, there is additional cost to the City. We can come back with discontinuation of the service. Vice Chairperson Hall stated that it is not Council's fault that the information was not communicated to the NPUs. Councilmember Muller stated that we want to encourage people to use online banking, but we may have to discontinue the program. CFO Davis responded that we are authorized to accept credit cards in certain situations. If we Hold this we are continuing to accept the costs. She will never turn money away, but it takes longer to collect. Councilmember Muller

stated that she understands that, but it has not been explained adequately. Vice Chairperson Hall stated that it should be a charge broken out. CFO Davis responded that this is a zero sum game. We can't walk away from it. The choice is who will pay, the person using the system or everyone else. The NPU response could be the same. Councilmember Muller offered to move Forward With No Recommendation with a better explanation and advertisement. Mr. Pridgeon asked if we could do that and get the information out. Councilmember Maddox stated that people should have the option to do that. He then offered a motion to move **Forward With No Recommendation on Substitute on Condition of getting the word out, such as on Channel 26, the next water bill, NPUs and advertisement, 4 Yeas**. Councilmember Winslow stated that we need to add and explain at the beginning who would be charged. Mr. Pridgeon asked if it would be confusing on what could be paid electronically. CFO Davis responded that we can provide the information. Councilmember Sheperd stated that there may be some confusion. As a former NPU Chair, she found that the Planners cannot explain the Legislation properly. We need to put in the annual amount we are paying and ask as a taxpayer how do you want to pay it. CFO Davis responded that if you pay with a credit card, there are charges. They may have their own clearing system. It may be easier for them to eat the fee because of non sufficient funds. It depends on the type of payment and size of the bill. A business gets to write off its bad debt. Private companies have more incentives. Councilmember Sheperd stated the NPU process votes may not change because they may not clearly understand it. Concluding, Mr. Synder stated that we should have electronic billing.

TO AMEND THE 2007 (COMMUNITY DEVELOPMENT FUND) BUDGET BY TRANSFERRING TO AND FROM APPROPRIATIONS IN THE AMOUNT OF \$502,000.00

07-O-1320 (16) An Ordinance by Finance/Executive Committee Amending the 2007 (Community Development Fund) Budget by Transferring To and From Appropriations in the amount of \$502,000.00 for the purpose of Closing Out Various Projects and Reprogramming these funds to Projects ready for implementation; and for other purposes. **(Held and Substituted, 7/11/07); (Finance/Executive Committee Substitute adds the Project dates, 8/1/07)**

FAVORABLE ON SUBSTITUTE

Mr. Jim Talley: of the Office of Grants Management addressed the Committee by stating that it was held for a 30 day review period. We have a Substitute. The four projects are Housing Demolition for \$350,000, Housing Weatherization for \$60,000, Legal Aide Roof Repair for \$70,000 and Wirecap for \$22,000. Vice Chairperson Hall offered a motion to **Approve on Substitute, 4 Yeas**.

TO AMEND THE PENSION ACTS APPLICABLE TO MEMBERS OF THE GENERAL EMPLOYEES PENSION FUND

07-O-1331 (17) An Ordinance by Councilmember C.T. Martin **as Amended by Finance/Executive Committee** to Amend the Pension Acts applicable to Members of the General Employees Pension Fund of the City of Atlanta, so as to provide for a Retirement Program for Employees involuntarily separated to balance the City of Atlanta 2008 Fiscal Year Budgets and for Reorganization of the Workforce; and for other purposes. **(Amended and Held, 6/27/07 pending receipt of actuarial report and recommendation from the General Fund Pension Board)**

HELD

ITEMS NOT ON AGENDA

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2008 WATER AND WASTEWATER BUDGET

07-O-1619 (4) An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to Amend the 2008 Water and Wastewater Budget, on behalf of the Department of Watershed Management, in the amount of \$7,454,507.18 by Transferring Funds from 2J26 (1999 Water and Watershed Bond Fund) 791001 (Reserve For Appropriation) T11001 (Reservation of Fund Appropriations) to 2J26 (1999 Water and Wastewater Bond Fund) 729023 (Arbitrage Rebate) T31001 (Unallocated Fund Wide Expenses) to pay Arbitrage Rebate Liability for the 1999 Water and Wastewater Bond to the Internal Revenue Service; and for other purposes.

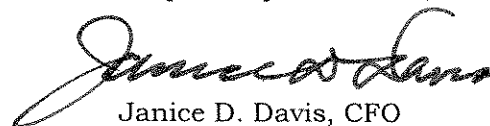
FAVORABLE ON FIRST READ

Mr. Carey Duncan: addressed the Committee by asking for a reply from the CFO regarding whether paper streets are on the City's records. CFO Davis responded that they are in the developer's plans that were going to be constructed, but never were. We have not been able to identify those streets. They are not in the City's records. Mr. Duncan stated that Warrick Street is not City property. CFO Davis responded that there is no Warrick Street identified in the City's properties. It may be part of another piece of property. That is the only way to identify it. It could have been a donation. She can't say that it is not, she does not know how to search for it. The streets do not appear by name. Mr. Duncan stated that the Department of Finance needs to look at this very closely. We need to know who owns what and who is responsible for what.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:30 p.m.

Respectfully Submitted,



Janice D. Davis, CFO

Charlene Parker
Recording Secretary

"The Department of Finance... because customer service is important to us."